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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ANIK A OKJE ERDMANN-BROWNING
and JACQUELINE BENITEZ, individually
and on behalf of all others similarly situated,

Plaintiffs,

v.

THOMAS J. VILSACK, Secretary of the
United States Department of Agriculture,
in his official capacity; SHALANDA
YOUNG, Director of the United States
Office of Management and Budget, in her
official capacity.

Defendants.

Case No.: 4:23-cv-04678-JST

CLASS ACTION

**SUPPLEMENTAL DECLARATION OF
JACQUELINE BENITEZ IN SUPPORT
OF PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

Hearing date: March 14, 2024

Time: 2:00 p.m.

Action filed: September 12, 2023

DECLARATION OF JACQUELINE BENITEZ

I, Jaqueline Benitez, declare as follows:

1. I am a plaintiff and a proposed class representative in this case. I have personal knowledge of the facts in this supplemental declaration and am competent to testify to them.

2. I am 22 years old. I am single and I have no children.

3. I am a resident of Bellflower in Los Angeles County.

4. I live alone in a studio/1 bed apartment.

5. I currently receive \$88 per month in CalFresh benefits. I receive my benefits on the 8th of the month. I am certified to receive CalFresh benefits through May 2024.

6. I was homeless for two years after my grandmother, who I lived with, passed away during the COVID pandemic. That was a difficult time in my life. Eventually, I was able to stay in homeless student housing and have since found permanent subsidized housing.

7. I struggled to find a job that paid enough money to meet my basic living expenses.

8. I am now employed part-time as pre-school teacher. I try to work as many hours as I can. I am capped at 950 hours a year, and generally work 20 hours/week, although my schedule varies. For example, I was out of work for an entire week in November 2023 because I was sick. In January 2024, I worked less than 20 hours and I will work approximately 20 hours in February 2024.

9. I am also attending Cal State Long Beach with my major being Child Development and Family Services, so I can increase my earning capacity and be self-sufficient. I get financial aid, some of which is not earmarked, so I can use it to meet my living expenses. I use financial aid to cover some of my living expenses when school holidays and breaks mean that I have fewer work hours and lower income. But since the earmarked financial aid does not meet all of my school expenses, I wind up needing to use the other funds mostly for school.

10. My monthly expenses for my basic needs such as rent, utilities, transportation to work and school (car insurance, gas, parking, DMV costs), out of pocket medical expenses and school expenses not covered by financial aid are almost identical to my monthly take home

1 income, as long as I do not miss any work because I get sick. If I miss work, I will have to eat
2 less that month because of my lower take home pay. For this reason, I try to save any extra
3 income from the months where I can work more hours to use in the months when my basic
4 expenses go over my take-home pay. Savings can also help me pay my larger bills that can't be
5 paid in installments like DMV charges, my parking permit, or emergency room visits and
6 unanticipated medical expenses.

7 11. I have very little cash to use for buying food. I had a budget of about \$100 per
8 month for food. I got a pay raise in January that was really needed because of the big jump in
9 food costs. My food now costs more like \$150-175/month, which includes my \$88 in CalFresh
10 benefits.

11 12. I usually go shopping when my benefits arrive on my card. I spend all the
12 benefits in one shopping trip and try to make that last 2 weeks. When that food is running out, I
13 have to use my cash. I don't buy expensive food. I almost never buy produce, unless I know I
14 can eat what I buy right away, to make sure I'm not wasting any fresh food. These days, with
15 the uncertainty of CalFresh benefits, I only buy food that I can store in the pantry in case the
16 government terminates my benefits and I am left without any means to purchase food.

17 13. I barely have enough food even with my CalFresh benefits. Those benefits are
18 the reason I don't go hungry.

19 14. It is already a struggle to meet my food needs since I don't have much cash
20 income to pay for food. I do not eat three meals a day. I used to have a bowl of cereal in the
21 morning and one full meal at dinnertime.

22 15. Once I learned that there may be a government shutdown that could mean my
23 CalFresh stopped, I dropped breakfast and only eat a small meal for dinner. Some days I may
24 get leftover snacks available at the preschool, but that is never guaranteed. I stopped eating
25 breakfast to ration my food intake in case my CalFresh benefits are terminated. Instead of eating
26 a full serving for dinner I have a smaller serving to reserve more food for the next day. I am
27 usually hungry throughout the day, which is hard when I am taking care of young children.
28 Sometimes I drink more water to feel fuller or to hide my hunger and get through the day.

1 16. With CalFresh benefits so uncertain for so many months I find that I am
2 constantly scared and panicked. I must choose between necessary medication and food, or
3 utilities and food. For example, when I was very sick in November 2023, I was not able to buy
4 all the medications I needed and I spent \$25 on an emergency room prescription leaving me with
5 only \$5. Instead of buying additional over the counter medication to reduce my fever, I saved
6 the \$5 in case my benefits were terminated. I decided I might need that \$5 for food more than I
7 needed to reduce my fever. I often turn off the lights in my apartment because I am worried
8 about having to pay an electric bill that will drain my bank account leaving me without money
9 for food.

10 17. In November 2023, I was actually glad that I was too sick to eat because it meant
11 that I could ration even more food in the face of uncertain CalFresh benefits.

12 18. I don't know what else I can do. I am helpless to do anything more. I can't eat
13 less than one small meal a day. I also worry about the families of the children I teach – they are
14 all low income and I know they would be really hard hit if their CalFresh benefits were delayed.

15 19. If my CalFresh benefits are delayed or taken away all together, I will have a hard
16 time getting enough to eat every day, as I would lose more than half my food buying capacity. I
17 will be hungry, and this will make it hard for me to work as a preschool teacher and do well in
18 my college classes.

19 20. I want to keep my CalFresh benefits going, but I also want to help all the other
20 people like me in California and the rest of the country whose SNAP food benefits will be
21 delayed or suspended if the federal government shutdown. I know that my job as a class
22 representative is to stay informed about the lawsuit, give information and feedback to my
23 lawyers, and participate in court or other case-related events. I also know that I need to put the
24 interests of the class members ahead of my own, and I am prepared to take on that responsibility.

25 I hereby declare under penalty of perjury under the laws of under the laws of the United

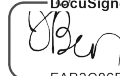
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3 States of America that the foregoing is true and correct.

4 Executed on 2/3/2024, 2024, in Los Angeles County.

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DocuSigned by:
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6 Jacqueline Benitez
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